

AMENDMENT TRANSMITTAL LETTER (Small Entity)

Applicant(s):

Docket No.

Ackrad-5

Serial No.

09/449,096

Filing Date

November 24, 1999

Examiner

C. Serke

Group Art Unit

3763

Invention: SINGLE LUMEN BALLOON CATHETER APPARATUS

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TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application.

- ☐ Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.
- ☐ A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	19 -	23 =	0 x	\$9.00	\$0.00
INDEP. CLAIMS	2 -	3 =	0 x	\$42.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00

- ☒ No additional fee is required for amendment.
- ☐ Please charge Deposit Account No. _____ in the amount of _____
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☐ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. _____
A duplicate copy of this sheet is enclosed.
 - ☐ Any additional filing fees required under 37 C.F.R. 1.16.
 - ☐ Any patent application processing fees under 37 CFR 1.17.

Dated: March 31, 2003

Signature

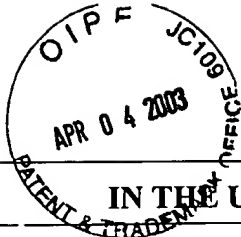
I certify that this document and fee is being deposited on March 31, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Joyce Petruzzelli
Signature of Person Mailing Correspondence

Joyce Petruzzelli

Typed or Printed Name of Person Mailing Correspondence

CC:



N0689/7

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE	
In re application of: Ackerman	Examiner: C. Serke
Serial No.: 09/449,096	Group Art Unit: 3763
Filed: 11/24/99	Docket No.: Ackrad-5
For: SINGLE LUMEN BALLOON CATHETER APPARATUS	Date: March 31, 2003

Commissioner for Patents
Washington, DC 20231

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Sir:

REPLY

This communication is responsive to the Office Action dated December 31, 2002 having a shortened statutory period for reply set to expire on March 31, 2003.

REMARKS

Claims 1-7, 9, and 11-23 are pending. Of these claims, claims 17-21 stand withdrawn from consideration and claims 1-7, 9, 11-16, 22, and 23 stand rejected.

Claim 1 stands rejected under 35 USC 103 (a) as being unpatentable over U.S. Patent 5,100,382 to Valtchev.

Claim 1 calls for the external opening adjacent the first end (of the tubular body or catheter) to generate a back-flow within the lumen which causes the fluid to enter and inflate the balloon through the second opening (which is in communication with the interior of the balloon).

In contrast, Valtchev in the embodiment of Fig. 7, teaches a first fluid communication passageway 13 extending with an elongated member to a barrier 15 and a second fluid